



#3

Dkt No. 6880

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Method and Apparatus For Facilitating Peer-To-Peer Application Communication**", the specification of which

- ☐ is attached hereto.
- ☐ was filed on September 13, 2000 as United States application number 09/661,070

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below, and I have also identified and listed below any foreign application(s) for patent or inventor's certificate, or PCT international application, having a filing date before that of the application(s) on which priority is claimed:

### FOREIGN APPLICATION(S)

Number	Country	day/month/year filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any U.S. provisional application(s) listed below:

**U.S. PROVISIONAL APPLICATION(S)**

Application Serial No.	Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or under Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**PRIORITY U.S. APPLICATION(S)**

Application Serial No.	Filing Date	Status

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Ronald J. Brown (29,016), David E. Bruhn (36,762), David N. Fronek (25,678), Theresa Hanks (45,501); Stuart R. Hemphill (28,084), Grant A. Johnson (42,696), Jason R. Kraus (42,765); Kenneth E. Levitt (39,747), Scott A. Marks (44,902), Devan Padmanabhan (38,262), Gerald H. Sullivan (37,243), and Jon F. Tuttle (25,713)

Address all telephone calls to: Stuart R. Hemphill at (612) 340-2734.

Address all correspondence to: Stuart R. Hemphill at Dorsey & Whitney LLP, Pillsbury Center South, 220 South Sixth Street, Minneapolis, Minnesota 55402.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Andrew T. Molitor  
Name of Sole or First Inventor

Andrew Molitor  
Inventor's Signature

Nov 27 2000  
Date

4201 Lexington Avenue North, Suite <sup>1105</sup>~~1150~~  
Arden Hills, Minnesota 55126  
Post Office Address

U.S.A.  
Citizenship

4201 Lexington Avenue North, Suite <sup>1105</sup>~~1150~~  
Arden Hills, Minnesota 55126  
Residence Address



#3

Dkt. No. 6880

Applicant: Andrew T. Molitor

Serial No.: 09/661,070

Filed: September 13, 2000

For: **Method and Apparatus For facilitating Peer-To-Peer Application Communication**

**STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27 (c))  
SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: Aravox Technologies

*1105*

Address of Concern: 4201 Lexington Avenue North, Ste. ~~4150~~ 1105, Arden Hills, MN 55126

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Method and Apparatus For Facilitating Peer-To-Peer Application Communication by Andrew T. Molitor described in

- ☐ the specification filed herewith
- ☒ application Serial No.09/661,070, filed September 13, 2000
- ☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate statements are required from each named person,

concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization  
N/A

NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

*JOHN G. CALDERONE*

TITLE OF PERSON SIGNING:

*VP ENGINEERING*

ADDRESS OF PERSON SIGNING:

*4201 LEXINGTON AVE NORTH, SUITE 1105  
ARDEN HILLS, MN 55126*

SIGNATURE

*[Handwritten Signature]*

DATE

*11/27/2000*